IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2673 OF 2003

Smt. Vidya Sunil Mane..... .... Petitioner.

Versus

Life Insurance Corporation of India... ... ... Respondent.

Mr. A.B. Borkar for the Petitioner.

Mr. V.Y.Sanglikar for the Respondent.

CORAM : V.G. PALSHIKAR, and V.R.KINGAONKAR, JJ.

DATED : 20TH APRIL, 2006.

P.C.:

By this petition, the Petitioner has challenged the order passed by the Insurance Ombudsman dated 23rd July, 2002 in relation to her claim. Reply to the petition was filed, where it was contended that the petition involves disputed questions of fact which cannot be gone into without recording evidence. In such circumstances, proper remedy for the Petitioner is to file a civil suit for appropriate relief. In view of the affidavit, specifically so contending, there is no question of any objection to the

jurisdiction of the civil court.

Petition accordingly disposed of permitting the Petitioner to file appropriate civil suit.

All other contentions are kept open for contest except for maintainability of the suit.

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